

Applicant : Brent J. Bos
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Remarks:

The amendments and remarks presented herein are believed to be fully responsive to the Final Office Action mailed October 20, 2004.

Claims 87-89, 91, 93-99 and 101-138 remain pending in the application. Claims 87 and 91 have been amended herein, while claim 100 has been canceled without prejudice. The amendments are fully supported in the specification and drawings as originally filed. No new matter has been added.

ALLOWED CLAIMS

Claims 93-99, 117-120 and 130-133 are allowed.

CLAIM OBJECTIONS

Claims 91 and 100 were objected to as being of improper dependent form. Claim 91 has been amended herein to be dependent on claim 87, while claim 100 has been canceled herein without prejudice, so that the objections are obviated.

CLAIM REJECTIONS

Claims 87, 89, 101-104, 116 and 129 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nakabayashi et al., U.S. Patent No. 6,018,425, in view of Schofield et al., U.S. Patent No. 5,796,094, and further in view of Chen, U.S. Patent No. 5,044,706. Claims 105-112, 121-128, 134 and 135 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nakabayashi et al., in view of Schofield et al. Claims 113, 114, 136 and 137 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nakabayashi et al., in view of Schofield et al., and further in view of Foo, U.S. Patent No. 5,880,879. Claims 115 and 138 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nakabayashi et al., in view

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of Schofield et al., in view of Foo, and further in view of Chen. Claim 88 was rejected under 35 U.S.C. §103(a) as being unpatentable over Nakabayashi et al., in view of Schofield et al., in view of Chen, and further in view of Foo.

Applicant respectfully traverses the rejections under 35 U.S.C. §103(a) for the reasons set forth below.

The present application is a CIP of co-pending application Serial No. 10/823,323, which is a continuation of U.S. Patent No. 5,796,094. However, the Examiner objects to the claim of priority as a CIP from co-pending application Serial No. 10/823,323, because the parent application does not disclose the lens group described in the present application, and because the present application does not include all of the same inventors as the parent application. Applicant respectfully submits that the present application and the parent application include a common inventor, namely, Brent J. Bos. Also, Applicant submits that the applications do not need to list all of the same inventors, since the claims of the present application are drawn to the lens groups of the present invention, and thus are not of the same scope as the claims of the parent application. Thus, Applicant respectfully refers to M.P.E.P., section 201.08, and submits that the requirements for an application to properly claim priority as a CIP to an earlier application are:

- "(A) The first application and the alleged continuation-in-part application were filed with at least one common inventor;
- (B) The alleged continuation-in-part application was 'filed before the patenting or abandonment of or termination of proceedings on the first application or an application similarly entitled to the benefit of the filing date of the first application'; and
- (C) The alleged continuation-in-part application 'contains or is amended to contain a specific reference to the earlier filed application.'"

M.P.E.P., Section 201.08 (emphasis added). Because each of these requirements has been met in the present application, Applicant submits that the present application is

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properly made a continuation-in-part of the parent application, which is a continuing application of U.S. Patent No. 5,796,094.

Moreover, Applicant submits that the parent application does not have to disclose the lens group of the present application. The present application is a continuation-in-part, not a continuation, of the parent application, and thus adds new matter that was not disclosed in the parent application. Applicant has claimed priority as a CIP to the parent application to remove the parent application (and the previous corresponding patent, U.S. Patent No. 5,796,094) as prior art to the claims of the present application, particularly with respect to the image distortion correction process. Because the claim of priority is properly made, Applicant respectfully submits that U.S. Patent No. 5,796,094 cannot be prior art to the claims of the present application. Reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

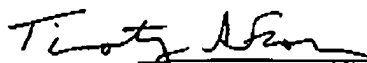
Applicant respectfully submits that claims 87-89, 91, 93-99 and 101-138 are in condition for allowance and a notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

BRENT J. BOS

By: Van Dyke, Gardner, Linn & Burkhardt, LLP

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